

State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, Regional Director

file  
Southeast Region Headquarters  
2300 N. Dr. ML King, Jr. Drive, Box 12436  
Milwaukee, Wisconsin 53212-0436  
TELEPHONE 414-263-8500  
FAX 414-263-8483  
TDD 414-263-8713

April 2, 1998

Zafar Mian  
Mian's Petroleum, Inc.  
5006 6<sup>th</sup> Street  
Kenosha, WI 53144

File reference: FID 230045640  
BRRS 03-30-004413

SUBJECT: Case Closure, Mian's Petroleum, 5006 60<sup>th</sup> Street, Kenosha.

Dear Mr. Mian:

On November 4, 1997, the Department of Natural Resources received a copy of the groundwater use deed restriction placed on the property listed above, along with the completed well abandonment forms.

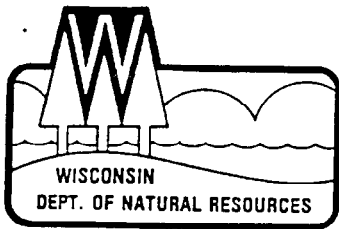
By placing the groundwater use restriction on the property deed at the county register of deeds office, abandoning the groundwater monitoring wells at the site in accordance with WAC NR 141, and submitting the completed abandonment forms to the Department, you have met the requirements for completing closure of the site as specified in the letter you received from John Feeney dated September 19, 1997.

This case has been tracked as closed on our computer tracking system. The department reserves the right to reopen this case pursuant to s. NR726.09, Wisconsin Administrative Code, should additional information regarding site conditions indicate contamination on or from the site poses a threat to public health, safety or welfare or the environment.

Sincerely,

Pat Chung  
Waste Management Specialist  
Remediation and Redevelopment Program

c: John Feeney  
Stephen Owens, Sigma



## State of Wisconsin \ DEPARTMENT OF NATURAL RESOURCES

Tommy G. Thompson, Governor  
George E. Meyer, Secretary  
Gloria L. McCutcheon, Regional Director

Southeast Region Am.  
4041 N. Richards Street, Box 1243  
Milwaukee, WI 53212-0436  
TELEPHONE 414-229-0800  
FAX 414-229-0810

September 19, 1997

Zafar Mian  
Mian's Petroleum, Inc.  
5006 6th Street  
Kenosha, WI 53144

Dear Mr. Mian:

Subject: Case closure, Petroleum Environmental Cleanup Fund (PECFA)  
Form DNR 4-B, Mian's Petroleum, 5006 60th Street, Kenosha,  
file reference FID #230045640 RR-LUST

I have reviewed your case file based on documents submitted by Sigma Environmental Services, Inc. Based on this information I agree with Sigma in that no further work is needed. The department reserves the right to reopen this case pursuant to s. NR726.09, Wisconsin Administrative Code (WAC), should additional information regarding site conditions indicate contamination on or from the site poses a threat to public health, safety or welfare or the environment.

To complete the closure of this site, you must place a groundwater use restriction on the property deed at the county register of deeds office which specifies the legal description of the property, the location, type, and concentration of the contaminants and includes the following language:

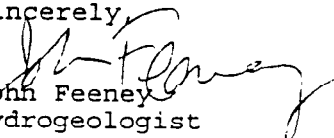
Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Construction of wells where water quality exceeds the drinking water standards in ch. NR809 is restricted by chs. NR811 and NR812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property.

Within 60 days all of the groundwater monitoring wells at the site must be abandoned in accordance with WAC NR 141 and the completed abandonment forms must be submitted to the department. Once the department receives the abandonment forms, this case will be tracked as closed on our computer tracking system. Please also have the groundwater recovery sumps abandoned.

I have signed your PECFA Form DNR 4-B for completed remedial action and environmental monitoring. Please send the original form to the Wisconsin Department of Commerce with your completed claim application.

If you have any questions about this letter, call me at 414-229-0850.

Sincerely,

  
John Feeney  
Hydrogeologist

cc: Sigma Environmental Services, Inc.  
SED File

## DEED RESTRICTION

in Re: That part of the southwest 1/4 of Section 35, Township 2 North, Range 22 East of the fourth principal meridian, bounded as follows: Beginning at the northwest corner of 60th Street and 50th Avenue, which corner is 50 feet north from the south line of said 1/4 Section; thence north 88 degrees 09 minutes west along the north line of 60th Street 150 feet; thence north 120 feet; thence south 88 degrees 09 minutes east parallel to the south line of said 1/4 section 150 feet to the west line of 50th Avenue; thence south along said west line 120 feet to the point of beginning, lying and being in the City of Kenosha, County of Kenosha and State of Wisconsin.

### COUNTY OF KENOSHA

WHEREAS, Zafar Iqbal Mian is the owner of the above-described property; and

WHEREAS, it is the desire and intention of the property owner to impose on the property restrictions which will make it unnecessary to conduct further groundwater remediation activities on the property at the present time;

NOW THEREFORE, the owner hereby declares that all of the property described above is held and shall be held, conveyed or encumbered, leased, rented, used, occupied and improved subject to the following limitation and restrictions:

Natural attenuation has been approved by the Department of Natural Resources to remediate groundwater exceeding ch. NR 140 groundwater standards within the boundaries of this property. Petroleum contaminated groundwater may remain on this property in the area identified on Figure 2, attached as Exhibit B. Construction of wells where water quality exceeds the drinking water standards in ch. NR 809 is restricted by chs. NR 811 and NR 812. Special well construction standards or water treatment requirements, or both, or well construction prohibitions may apply. Anyone who proposes to construct or reconstruct a well on this property is required to contact the Department of Natural Resources' Bureau of Drinking Water and Groundwater to determine what specific requirements are applicable prior to constructing or reconstructing a well on this property.

This restriction is hereby declared to be a covenant running with the land and shall be fully binding upon all persons acquiring the above-described property whether by descent, devise, purchase or otherwise. This restriction inures to the benefit of and is enforceable by the Wisconsin Department of Natural Resources, its successors or assigns. The Department, its successors or assigns, may initiate proceedings at law or in equity against any person or persons who violate or are proposing to violate this covenant, to prevent the proposed violation or to recover damages for such violation.

Any person who is or becomes owner of the property described above may request that the Wisconsin Department of Natural Resources or its successor issue a determination that one or more of the restrictions set forth in this covenant is no longer required. Upon the receipt of such a request, the Wisconsin Department of Natural Resources shall determine whether or not the restrictions contained herein can be extinguished.

IN WITNESS WHEREOF, the owner of the property has executed this Deed Restriction, this 20th day of 10-20 October, 1997.

Signature: \_\_\_\_\_

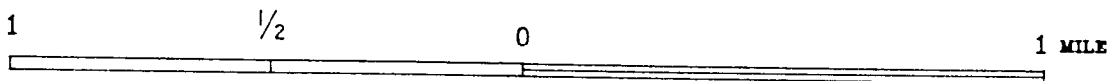
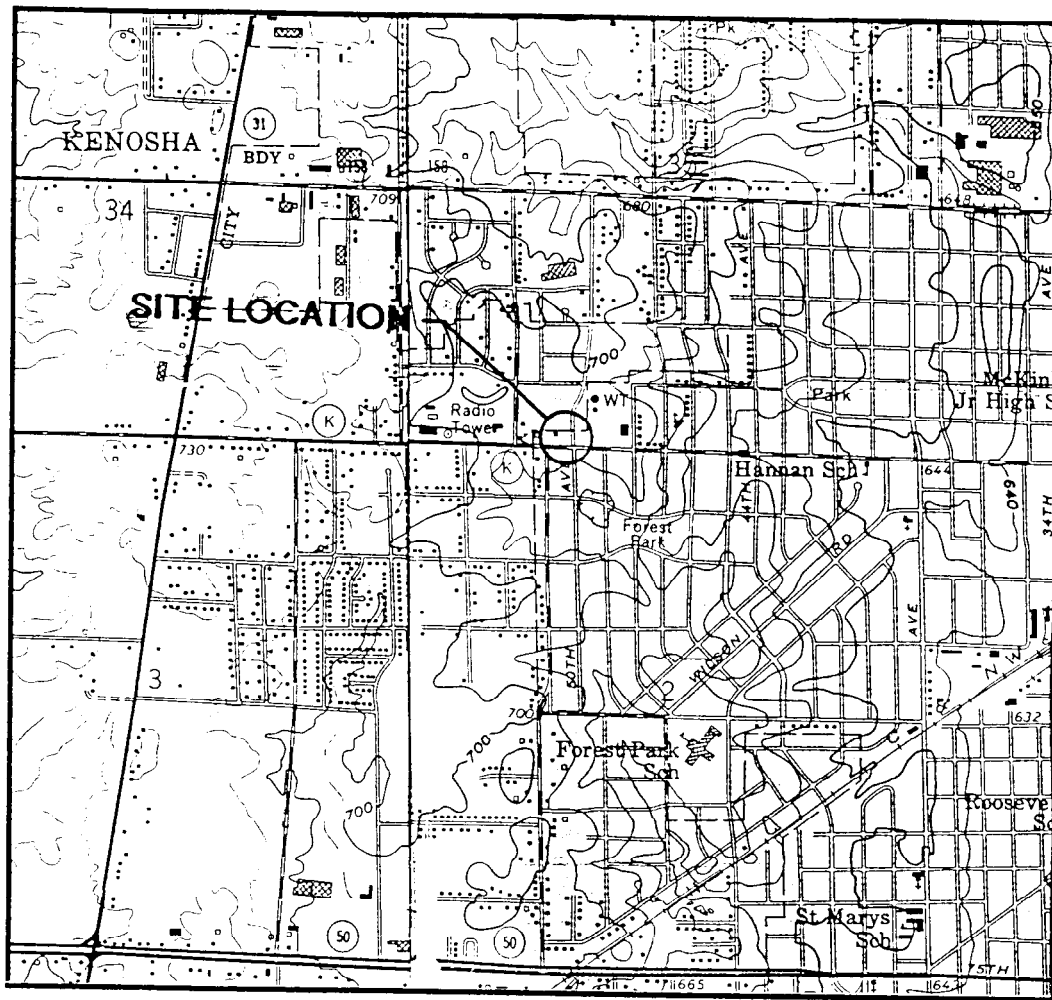
Printed Name: Zafar Iqbal Mian

Title: Owner

Subscribed and sworn to before me  
this 20th day of October, 1997


John A. Spinnott  
Notary Public, State of Wisconsin  
My commission expires: 08-22-99

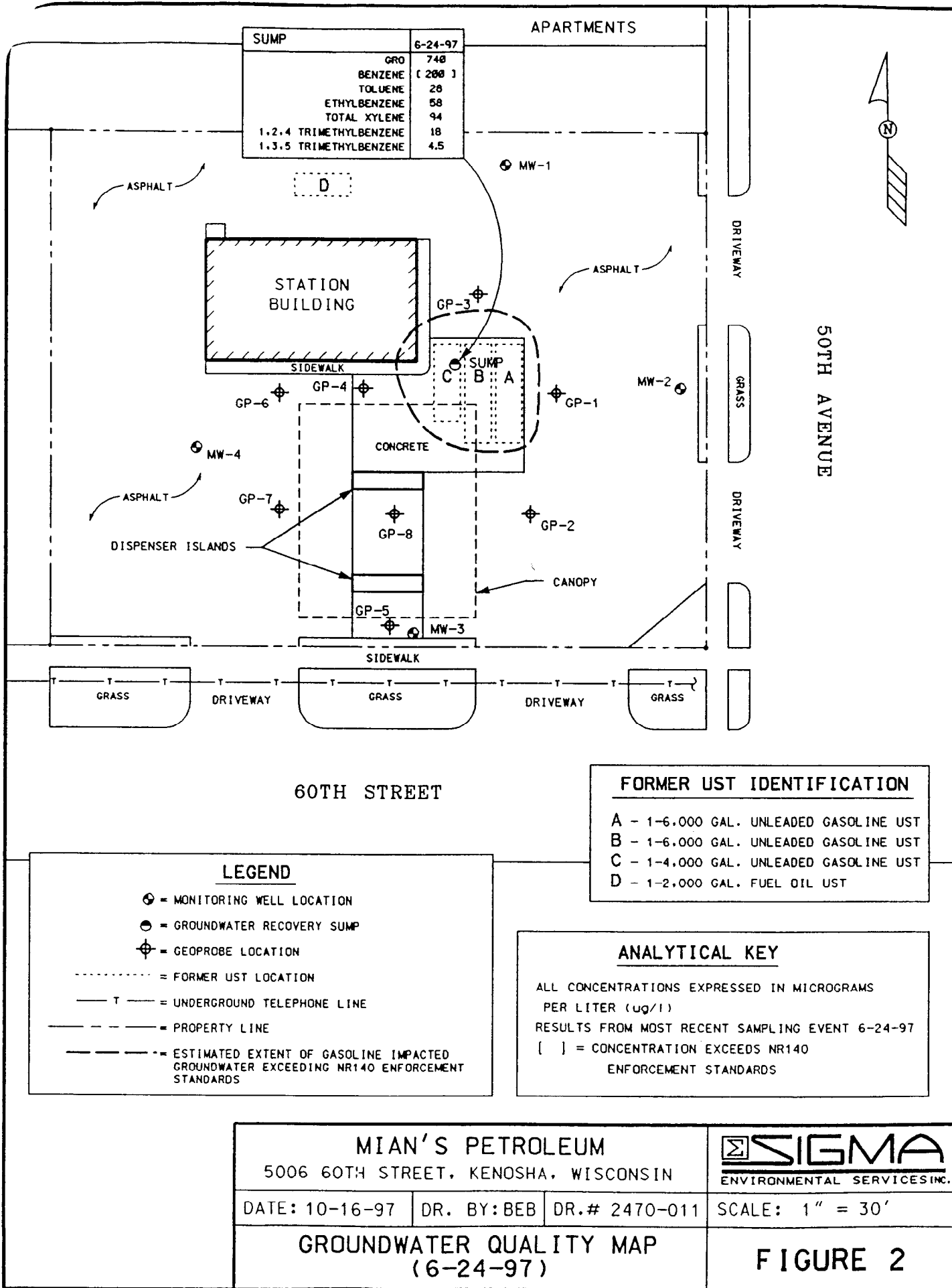
This document was drafted by Sigma Environmental Services, Inc. and includes language drafted by the Wisconsin Department of Natural Resources.

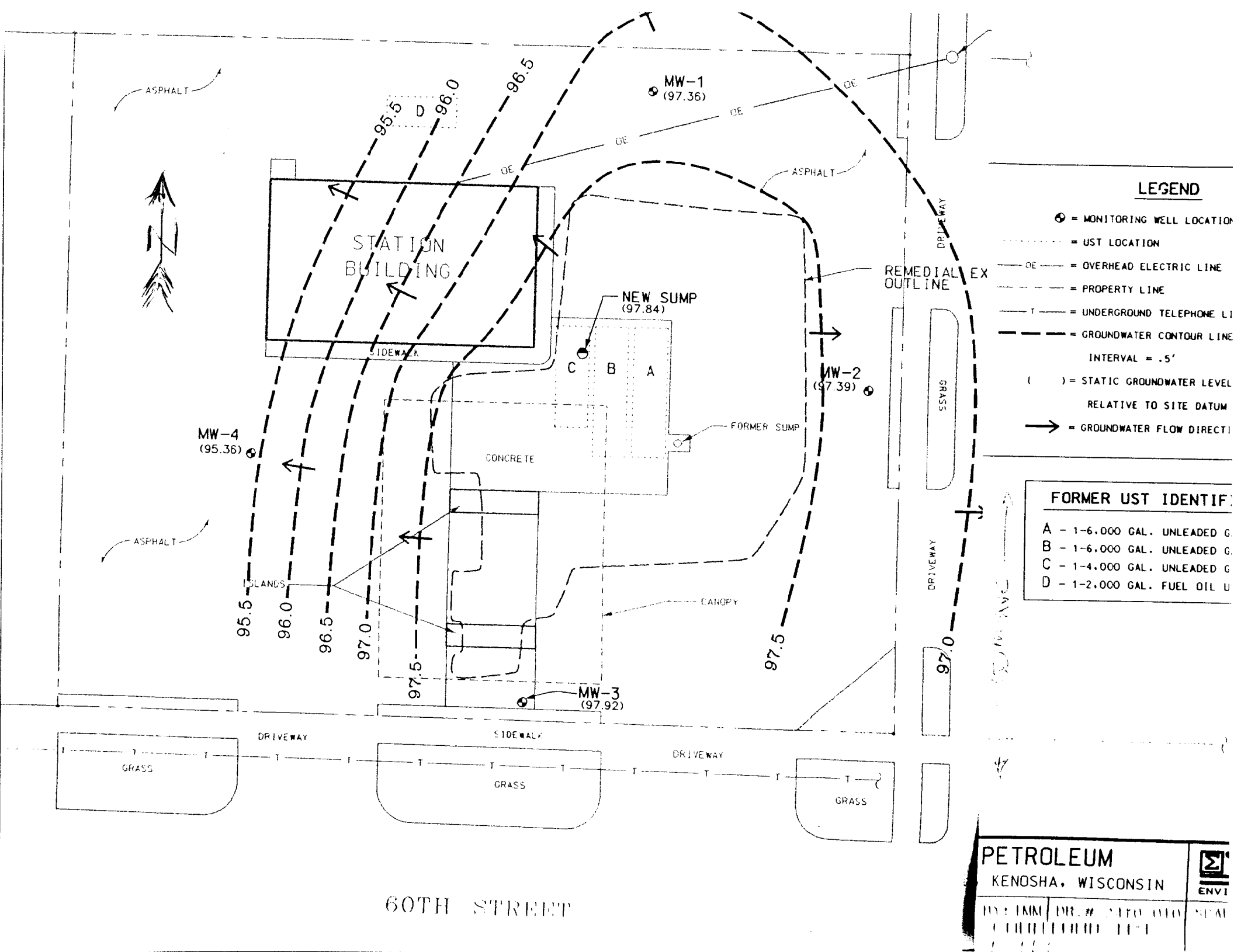


ADAPTED FROM U.S.G.S. 7.5 MINUTE SERIES. KENOSHA, WISCONSIN QUADRANGLE



<b>MIAN'S PETROLEUM</b> 5006 60TH STREET, KENOSHA, WI			
APP. BY:	DRAWN BY: JWH	DRAWING NUMBER	SCALE: SEE ABOVE
	REV.:	2470-001	DATE: 12-6-94
<b>SITE LOCATION MAP</b>			<b>FIGURE 1</b>







**TABLE 3**  
**GROUNDWATER ANALYTICAL RESULTS - DETECTED COMPOUNDS**  
Mian's Petroleum, Inc.  
Kenosha, Wisconsin

Dates Collected	MW-1								MW-2								ES	PAL
	10/03/94	10/03/94*	12/28/94	03/30/95	06/30/95	09/27/95	12/29/95	06/26/96	10/03/94	12/28/94	03/30/95	06/30/95	09/27/95	12/29/95	06/26/96			
GRO	<50	---	<50	235	<28	<28	<18	<100	<50	<50	<28	<28	<28	<18	<100	NS	NS	
Benzene	<0.5	<0.5	<0.5	<0.5	<0.9	<0.5	<0.9	<0.7	<0.5	<0.5	<0.5	<0.9	<0.5	<0.9	<0.7	5	0.5	
Toluene	<0.6	<0.6	<0.6	<0.6	<1.5	<0.6	<1.5	<1.0	<0.6	<0.6	<0.6	<1.5	<0.6	<1.5	<1.0	343	68.6	
Ethylbenzene	<0.6	<0.6	<0.6	<0.7	<1.3	<0.6	<1.3	<0.7	<0.6	<0.6	<0.6	<1.3	<0.6	<1.3	<0.7	700	140	
Xylenes	<1.7	<1.7	<1.7	<1.7	<3.1	<1.7	<4.5	<2.0	<1.7	<1.7	<1.7	<3.1	<1.7	<4.5	<2.0	620	124	
MTBE	40	42	22	32	18	16	8.2	8.2	13	5.0	4.5	<0.9	<2.7	<0.9	0.70	60	12	
1,2,4-Trimethylbenzene	<1.7	<1.7	<1.7	<1.7	<2.3	<1.7	<2.3	<1.0	<1.7	<1.7	<1.7	<2.3	<1.7	<2.3	<1.0	NS	NS	
1,3,5-Trimethylbenzene	<0.9	<0.9	<0.9	<0.9	<2.3	<0.9	<2.3	<0.9	<0.9	<0.9	<0.9	<2.3	<0.9	<2.3	<1.0	NS	NS	
di-Isopropylether	<1.0	<1.0	---	---	---	---	---	---	<1.0	---	---	---	---	---	---	NS	NS	
Methylene Chloride	1.5	1.9	---	---	---	---	---	---	<1.5	---	---	---	---	---	---	150	15	
Naphthalene	<1.0	<1.0	---	---	---	---	---	---	<1.0	---	---	---	---	---	---	40	8	
n-Propylbenzene	<0.8	<0.8	---	---	---	---	---	---	<0.8	---	---	---	---	---	---	NS	NS	
Dissolved Lead	<1	---	---	---	---	---	---	---	<1	---	---	---	---	---	---	15	1.5	

**KEY:** Concentrations are reported in micrograms per liter (µg/l) unless otherwise noted.  
Only compounds detected in at least one sample are included in this table.  
< = Compound not detected at or above the method detection limit (the numerical value following the < symbol).  
GRO = Gasoline Range Organics  
MTBE = Methyl-Tert-Butyl Ether  
\* = Duplicate sample  
ES = Wisconsin Administrative Code NR 140 Enforcement Standard  
PAL = Wisconsin Administrative Code NR 140 Preventive Action Limit  
NS = No Standard Established  
= Concentration exceeds NR 140 Enforcement Standard  
--- = Not analyzed for this parameter

**TABLE 3**  
**GROUNDWATER ANALYTICAL RESULTS - DETECTED COMPOUNDS**

Mian's Petroleum, Inc.  
Kenosha, Wisconsin

Dates Collected	MW-3								MW-4							ES	PAL
	12/28/94	12/28/94*	03/30/95	03/30/95*	06/30/95	09/27/95	12/29/95	06/26/96	10/03/94	12/28/94	03/30/95	06/30/95	09/27/95	12/29/95	06/26/96		
GRO	<50	<50	<28	<28	<28	<28	<18	<100	<50	<50	<28	<28	<28	<18	<100	NS	NS
Benzene	<0.5	<0.5	<0.5	<0.5	<0.9	<0.5	<0.9	<0.7	<0.5	<0.5	<0.5	<0.9	<0.5	<0.9	<0.7	5	0.5
Toluene	<0.6	<0.6	<0.6	<0.6	<1.5	<0.6	<1.5	<1.0	1.1	<0.6	<0.6	<1.5	<0.6	<1.5	<1.0	343	68.6
Ethylbenzene	<0.6	<0.6	<0.6	<0.6	<1.3	<0.6	<1.3	<0.7	<0.6	<0.6	<0.6	<1.3	<0.6	<1.3	<0.7	700	140
Xylenes	<1.7	<1.7	<1.7	<1.7	<3.1	<1.7	<4.5	<2.0	<1.7	<1.7	<1.7	<3.1	<1.7	<4.5	<2.0	620	124
MTBE	40	39	24	33	21	18	12	9.4	<2.7	<2.7	<2.7	<0.9	<2.7	<0.9	<0.5	60	12
1,2,4-Trimethylbenzene	<1.7	<1.7	<1.7	<1.7	<2.3	<1.7	<2.3	<1.0	<1.7	<1.7	<1.7	<2.3	<1.7	<2.3	<1.0	NS	NS
1,3,5-Trimethylbenzene	<0.9	<0.9	<0.9	<0.9	<2.3	<0.9	<2.3	<0.9	<0.9	<0.9	<0.9	<2.3	<0.9	<2.3	<0.9	NS	NS
di-Isopropylether	<1.0	<1.0	---	---	---	---	---	---	<1.0	---	---	---	---	---	---	NS	NS
Methylene Chloride	<1.5	2.0	---	---	---	---	---	---	<1.5	---	---	---	---	---	---	150	15
Naphthalene	<1.0	<1.0	---	---	---	---	---	---	<1.0	---	---	---	---	---	---	40	8
n-Propylbenzene	<0.8	<0.8	---	---	---	---	---	---	<0.8	---	---	---	---	---	---	NS	NS
Dissolved Lead	<1	<1	---	---	---	---	---	---	<1	---	---	---	---	---	---	15	1.5

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**TABLE 3**  
**GROUNDWATER ANALYTICAL RESULTS - DETECTED COMPOUNDS**  
**Mian's Petroleum, Inc.**  
**Kenosha, Wisconsin**

Dates Collected	New Sump												ES	PAL
	12/28/94	03/30/95	06/30/95	06/03/95*	09/27/95	09/27/95*	12/29/95	12/29/95*	03/25/96	03/25/96*	06/26/96	06/26/96*		
GRO	244	1,360	1,760	1,870	594	648	895	1,090	1,000	1,000	9,400	9,500	NS	NS
Benzene	37	196	75	76	92	90	558	698	160	230	1700	1700	5	0.5
Toluene	29	6.9	23	23	3.4	2.6	8.6	8.2	17	13	3500	3600	343	68.6
Ethylbenzene	2.8	2.4	<6.5	3.9	13	15	23	23	10	12	340	350	700	140
Xylenes	47	17	67	85	67	82	64	58	56	56	2300	2400	620	124
MTBE	33	2,570	3,270	3,180	402	489	337	288	1,000	900	310	300	60	12
1,2,4-Trimethylbenzene	8.2	4.8	18	20	21	35	12	11	32	57	210	220	NS	NS
1,3,5-Trimethylbenzene	4.1	2.0	16	16	21	26	2.7	2.5	10	13	71	73	NS	NS
di-Isopropylether	<1.0	---	---	---	---	---	---	---	---	---	---	---	150	15
Methylene Chloride	<1.5	---	---	---	---	---	---	---	---	---	---	---	40	8
Naphthalene	2.6	---	---	---	---	---	---	---	---	---	---	---	NS	NS
n-Propylbenzene	<0.8	---	---	---	---	---	---	---	---	---	---	---	15	1.5
Dissolved Lead	<1	---	---	---	---	---	---	---	---	---	---	---	---	---

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